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MINUTES

The Town of Manteo Planning and Zoning Board met in Regular Session on Tuesday, June 9, 2020 at 6:00 p.m. at the Manteo Town Hall, 407 Budleigh Street and via Electronic Teleconference. The public may access the meeting by calling US: +1 312 626 6799 or +1 929 436 2866 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782. Members of the public are welcome to participate in the Public Hearing and Public Comment segments Webinar ID: 893 7861 4131.

The following members were present:

Chairman Sherry Wickstrom
Member Hal Goodman
Member Fields Scarborough
Member Nicole Northrup
Member Jamie Daniels

The following members were absent:

Also present at the meeting:

Melissa Dickerson, Planner
Becky Breiholz, Town Clerk
Carl Woody, IT Director

Chairman Wickstrom called the meeting to order at 6:00 pm and did a roll call. Member Nicole Northrup, present; Member Hal Goodman, present; Member Fields Scarborough, present and Member Jamie Daniels, via teleconference.

SUBJECT: Adoption of Agenda as presented or amended. We received a request to remove from the agenda under New Business Item 6A discussion and approval of temporary parking for the Town Common.

MOTION: Member Goodman seconded by Member Northrup to adopt the agenda as amended with removal of Item 6A was approved by the following roll call vote: Ayes: Chairman Wickstrom, Members Scarborough, Goodman, Northrup, and Daniels. Nays: None. Absent: None.

SUBJECT: Approval of Minutes Regular Meeting May 12, 2020.

MOTION: Member Goodman seconded by Member Scarborough to approve the May 12, 2020 minutes as presented was approved by the following roll call vote: Ayes: Chairman Wickstrom, Members Scarborough, Goodman, Northrup, and Daniels. Nays: None. Absent: None.

PUBLIC HEARING-to receive comments on text amendment to Section 12-7 Boat lifts. Member Wickstrom read the ordinance and that the Board of Commissioners has asked the Planning Board for recommendations.

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MOTION: Member Northrup seconded by Member Goodman to enter into a public hearing was approved by the following roll call vote: Ayes: Chairman Wickstrom, Members Scarborough, Goodman, Northrup, and Daniels. Nays: None. Absent: None.

Chairman Wickstrom gave instructions to those participating via teleconferencing and asked anyone wishing to speak on the boat lift public hearing to please hit *9 and you will be identified by the last 4 digits of your phone number and will then need to state your name and residence.

#1172-Tracie Paiva resident of Marshes Light. Her home is on the marina and hopes that they will allow boat lifts in marinas in Manteo. The marina in Marshes Light is not protected and the boats take a beating. It is difficult to maintain boats; this will make a difference in maintenance and allow for easier access to come in and out of the marina.

#1159-Bob Keeney, Fernando Street and lives in Marshes Light and is in support of allowing boat lifts and interesting to note that boat lifts are prohibited in only marinas. There are other structures and larger boats that block the view. Owners of boat slips can use them as allowed by the covenants of marinas and by deleting this, the marina/homeowner associations can determine to allow them. He would like to suggest the Town to provide guidance as to the quality and best lifts suitable.

#4640-Tim Teeple, Fernando and he walks everyday on the boardwalk and to change an ordinance in the Town of Manteo is a big deal. He understands the inclement weather of Shallowbag Bay and knows of an instance where a boat fell off the boat lift during a storm and damaged other boats and the marina. If it is lifted hopes some kind of regulations are in place. He is hoping it does not open up other instances and realizes that the Town of Manteo docks are regulated. Marshes Light has an ordinance in their homeowner's association that does not allow boat lifts. Hope it does not change the line site around the area. The Marshes Light Boardwalk was built to join old Manteo to new Manteo.

Chairman Wickstrom commented that public comments on the public hearing can be emailed up to 24 hours after the meeting to mdickerson@manteonc.gov and Mrs. Dickerson reminded them that there will be another public hearing on this at the Board of Commissioners June 17th meeting.

MOTION: Member Goodman seconded by Member Scarborough to exit the public hearing was approved by the following roll call vote: Ayes: Chairman Wickstrom, Members Scarborough, Goodman, Northrup, and Daniels. Nays: None. Absent: None.

PUBLIC COMMENTS-

#0516-John Robbins, Puddle Lane and owns property in Manteo. He was downtown and one item he sees is that there is a lot of wasted space in parking because people do not efficiently parallel park. He would like them to consider putting this on an agenda or

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recommend to the Commissioner's to paint stripes working with NCDOT and by doing so would gain more parking spaces.

OLD BUSINESS:

SUBJECT: Discussion and recommendation to the Board of Commissioners on text amendment to Section 12-7 Boat lifts.

The Town's zoning ordinance prohibits boat lifts in marinas in Section 12-7(a)(2). The current ordinance was passed on March 5, 2008. At the April 15, 2020 Board of Commissioners meeting, a Board member suggested the potential deletion of this section of the zoning ordinance.

At the May 6, 2020 Board of Commissioners meeting, the Board referred the matter to the Planning and Zoning Board as required for any text amendment to the zoning ordinances. The Board of Commissioners also set a Public Hearing on the matter for June 17, 2020. At the May 12, 2020 Planning and Zoning Board, the Board scheduled a public hearing for June 9, 2020.

To lift the prohibition, the following text amendment would be required:

Delete the words "Boat lifts, or any devices attached to pilings or docks and designed to suspend a boat over the water, are not permitted in marinas" from the ordinance text.

2007 Land Use Plan Review:

The 2007 Land Use Plan does not specifically address boat lifts.

The 2007 Land Use Plan does state that "**PA Policy 3:** New parks and open spaces should be sited and designed to maintain the town's natural edge, protect fragile areas, improve water quality, **preserve views to public trust waters**, and be in keeping with Manteo's historic character." Figure 17 (Attachment 1) of the 2007 Land Use Plan designates the views from Marshes Light as "Important Public Views." However, Figure 11 (Attachment 2), which also designates "Important Public Views" does not include Marshes Light.

Mrs. Dickerson did take a walk around the waterfront and took some pictures; there is one boat lift in Marshes Light and Member Northrup provided a picture of that boat lift with a boat in it. She deferred to Member Goodman who took pictures of Pirates Cove.

Member Goodman walked them through the pictures of boat lifts at Pirates Cove. Boat lifts are not allowed on community docks, but an exception was made at Ballast Point because of the northwest, southwest and west winds disturb the water and 4 have been allowed. When they are filled with boats there is no visibility, you only see hulls and the boats are 4-6 feet above the docks it obstructs the view. Another thing to consider is during a high wind event, during a hurricane a boat fell off the boat lift causing major damage and sank, so during high winds they would need to come off the lifts. The 3 lifts

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by the ships store were done before the ordinance and they obstruct the view. The last few pictures are of the town's marina. Mrs. Dickerson commented she received concerns about boat lifts being placed at the Town's marina and wanted to address this. There is no situation where the Town would allow this; and boats using the town docks do not own the slips; boat lifts that are installed are on privately owned docks. This is not about the Town docks but privately owned docks and giving them the option to have boat lifts. Member Northrup wanted to clarify and is the area affected by this only Marshes Light marina. Mrs. Dickerson commented no. Member Northrup so it could include the entire boardwalk. Member Goodman commented he has been involved in the design of marinas and most do not want boat lifts and if they have them, they are put at the end of the dock as to not interfere with the view. Member Daniels is not in favor of changing the ordinance. All the boardwalk surrounding the waterfront is public property. Member Scarborough is in favor of allowing them. Chair Wickstrom is not in favor and stated in reviewing conditional use permit for Marshes Light, while it doesn't mention boat lifts it does state that there shall be deeded to the Town of Manteo a 30 foot easement along the water's edge a public park in perpetuity and thinks there would be a negative impact on the view shed and in the future.

MOTION: Member Daniels seconded by Member Goodman to recommend to the Board of Commissioners to NOT change the ordinance was approved by the following roll call vote: Ayes: Chairman Wickstrom, Members Goodman, Northrup, and Daniels. Nays: Scarborough. Absent: None.

MOTION: Member Goodman seconded by Member Northrup to adopt the following consistency statement: "The Town of Manteo Planning and Zoning Board finds the action to amend the zoning ordinance to allow boat lifts in marinas to be inconsistent with the Town's 2007 Land Use Plan". The Town's 2007 Land Use Plan does not specifically mention boat lifts but **Public Access Policy 3: states** "New parks and open spaces should be sited and designed to maintain the town's natural edge, protect fragile areas, improve water quality, **preserve views to public trust waters**, and be in keeping with Manteo's historic character." was approved by the following roll call vote: Ayes: Chairman Wickstrom Northrup, Goodman, Scarborough and Daniels. Nays: None. Absent: None.

BOARD COMMENTS

Member Northrup is sympathetic with those that called in favor of boat lifts if there was a way to change that to only allow in Marshes Light, she would not be out of favor of this otherwise she is not comfortable with changing the ordinance.

Member Goodman noted that he realizes during rough weather conditions it is not good and thinks that in future planning they are planning on installing a breakwater there to dissipate wave action in the area.

MOTION: Member Goodman seconded by Member Scarborough to adjourn at 6:40 pm was approved by the following roll call vote: Ayes: Chairman Wickstrom and Members Scarborough, Goodman, Northrup, and Daniels. Nays: None. Absent: None

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This the 9th day of June 2020.

Sherry Wickstrom
Sherry Wickstrom, Chairman

ATTEST:

Becky Brechtel
Becky Brechtel, Town Clerk



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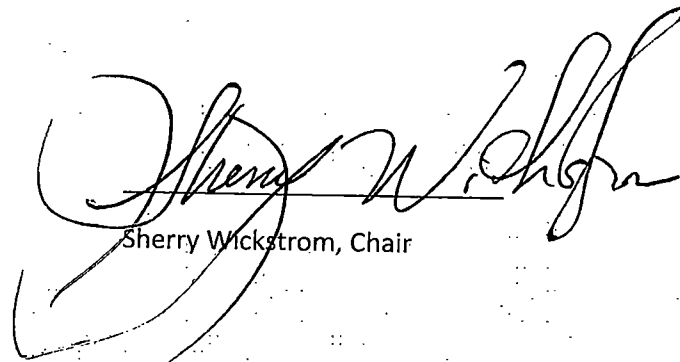
Consistency Statement:

The Town of Manteo Planning and Zoning Board finds the action to amend the zoning ordinance to allow boat lifts in marinas to be inconsistent with the Town's 2007 Land Use Plan. The Town's 2007 Land Use Plan does not specifically mention boat lifts but Public Access Policy 3: states "New parks and open spaces should be sited and designed to maintain the town's natural edge, protect fragile areas, improve water quality, preserve views to public trust waters, and be in keeping with Manteo's historic character."

Recommendation to the Board of Commissioners:

The Planning Board finds action to amend the Town of Manteo's Zoning Ordinance Section 12-7 to be inconsistent with the Town's Land Use Plan per §160A-383, in a 4 to 1 vote, the Planning Board recommends that the Board of Commissioners not amend the Town's Zoning Code Article 12-USE PROVISIONS Section 12-7 Marinas (a) (2).

This the 9th day of June, 2020.



Sherry Wickstrom, Chair

ATTEST:



Becky Brechhof, Town Clerk

